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PATENT  
Docket No.: 085765-000000US  
Client Ref. No.: F5-  
99984361/AR0011US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of:

MAKOTO YAMAMORI

Patent No.:

Issued:

Application No.: 09/325,819

Filed: June 4, 1999

For: HIGH AMYLOSE WHEAT  
STARCH AND WHEAT CONTAINING  
THE SAME

Examiner: Grunberg, A.

Art Unit: 1661

PETITION FOR SUSPENSION OF  
ACTION UNDER 37 C.F.R. §1.103(a)

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicant respectfully petitions for a suspension of action under 37 C.F.R. §1.103(a) for the above referenced application. This petition is presented in a separate paper from the CPA filed in the above referenced application and is accompanied by the petition fee set forth in 37 C.F.R. §1.17(h). Applicant requests a six month suspension of action.

Statement of reasons supporting petition for suspension.

In an Advisory Action mailed June 11, 2002, the Examiner indicated that the currently pending claims 1-5 needed to be limited to the plant seeds deposited at the Budapest Treaty International Depository on March 27, 2002. These seeds are directed to the progeny of a cross of four different parental strains and the seeds produce wheat plants whose seeds have a high amylose content. Applicant's invention is any wheat plant whose seeds have a high amylose content which result from a cross of four

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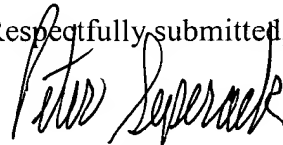
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particular parental strains. The Examiner, in a telephone interview, has required that Applicant must deposit seeds of the parental strains in a designated international depository in order to comply with the enablement requirement for crossing the parental strains. Applicant will need at least 6 months to produce the required number of seeds of each of the parental strains as required by the Examiner.

CONCLUSION

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at (415) 576-0200.

Respectfully submitted,



Peter Seperack  
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